

REMARKS

I. Amendment to the Claims

Upon entry of the foregoing amendment, twenty four (24) claims are pending in the application. Of the pending claims, two (2) claims are independent.

II. Allowable Subject Matter

The Examiner has concluded that Claim 11 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

III. Rejections under 35 U.S.C. § 112

The Examiner has rejected Claims 1-13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner has objected to the expression “the rest width” in claim 1, lines 1-2, as having no definite antecedent basis. The expression “the rest width” has been amended to “a rest width.”

In addition, the Examiner has objected to claim 1, line 15, as having a period at the end of the line. However, there is not a period (“.”) but a comma (“,”) at the end of the line.

The Examiner has also objected to the expression “a rest portion of a seat” of claim 12, line 2, as being a double recitation of the rest portion recited in claim 1, line 5. The expression “a rest portion of a seat” has been amended to “the rest portion of the seat.”

The Examiner has objected to the expression “for adjusting the rest width of a seat” as being a double recitation of claim 1. The expression “for adjusting the rest width of a seat” has been amended to “for adjusting the rest width of the seat.”

Accordingly, it is respectfully submitted that the rejections under 35 U.S.C. 112, second paragraph, have been rendered moot.

IV. Rejections of Claims under 35 U.S.C. § 102

1. The Examiner has rejected Claims 1, 2, 4-10, 12 and 13 under 35 U.S.C. §102(b) as being anticipated by Ball et al (US 6,523,898). The rejections are respectfully traversed.

Claim 1 is a “multi-way device for adjusting a rest width of a seat.” In Claim 1, one adjustment direction of the adjusting part is “for reducing the rest width” and the other adjustment direction of the adjusting part is “for increasing the rest width.”

Ball fails to disclose this claimed configuration. Instead, Ball only discloses a lumbar adjustment mechanism for “bulging” or forward movement of the body section 136 of a chair. The adjustment mechanism of Ball has nothing to do with a reducing or increasing of a “rest width of a seat” as claimed. Specifically, in Ball, when the handle 155 is rotated, the straps 158 are caused to wrap around the rods 149 and 151 and the body section 136 of the chair bulges forwardly (see Fig. 53). When the handle 155 is released, the straps 158 are relaxed and the body section 136 can flex toward a more planar condition. Nowhere does Ball show an adjustment of a rest width.

Accordingly, it is respectfully submitted that Ball cannot anticipate Claim 1 and its dependent claims.

2. The Examiner has also rejected Claims 14-24 under 35 U.S.C. §102(b) as being anticipated by Gabas et al (US 6,357,826). The rejections are respectfully traversed.

In Claim 14, the claimed “cable pull is coupled to mechanical energy storage means” in such a way that “on adjustment of the cable pull in a first adjustment direction, mechanical energy is taken up by the mechanical energy storage means, while an adjustment of the cable pull takes place in a second adjustment direction assisted by the release of previously taken up mechanical energy from the mechanical energy storage means.”

Gabas fails to disclose the claimed configuration of a cable pull being coupled to mechanical energy storage means. In Gabas, the cables 60 or the wires of the cables 60 are not coupled to the coil springs (mechanical energy storage means) 70. Instead, the cover of each of the cables 60 is mounted to lower sliding blocks 80a, 80b, respectively, and the inner steel cables (wires) are fixed to the lower end of a corresponding rod of a frame 10. The coil springs (mechanical energy storage means) 70 are only arranged between the sliding blocks 80a, 80b and the lower end portion of the frame 10. Simply, there is no coupling between the cables 60 or the wires of the cables 60 and the coil springs 70 as claimed.

Accordingly, it is respectfully submitted that Gabas cannot anticipate Claim 14 and its dependent claims.

V. Rejections of Claims under 35 U.S.C. § 103

The Examiner has rejected Claim 3 under 35 U.S.C. §103(a) as being unpatentable over Ball in view of Gabas.

However, for the reasons set forth above, Ball fails to disclose the claimed “adjustment (reducing and increasing) of the rest width of the seat.” Neither does Gabas teach or suggest

this claimed configuration. Accordingly, it is respectfully submitted that Claim 3 should be found allowable over Ball and Gabas.

VI. Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

By:



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